

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

KYLE SMITH,

Plaintiff,

v.

PROMARK PRODUCTS WEST, INC.

and

ARIENS COMPANY,

Defendants.

CIVIL ACTION

NO. 02-CV-2718 (RLB)

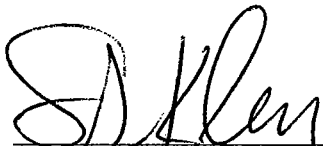
STIPULATION OF DISMISSAL WITH PREJUDICE

It is hereby STIPULATED and AGREED that all claims of the plaintiff, Kyle Smith, against defendants, Promark Products West, Inc. and Ariens Company, shall be and are hereby DISMISSED WITH PREJUDICE, without costs against any party.

BEGLEY, CARLIN & MANDIO, LLP

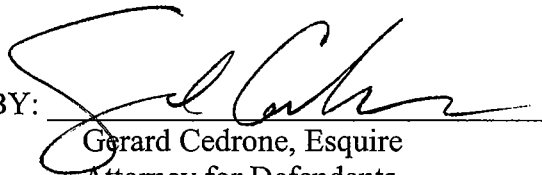
LAVIN, O'NEIL, RICCI, CEDRONE & DISIPIO

BY:



Richard S. Klimes, III, Esquire
Attorney for Plaintiff,
Kyle Smith

BY:



Gerard Cedrone, Esquire
Attorney for Defendants,
Promark Products West, Inc. and
Ariens Company

DATE:

3/23/05

DATE:

MARCH 28, 2005